

AO 91-NM (Rev. 11/11, Amended 6/13) Criminal Complaint (D.N.M.)

**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO**United States District Court**

for the

MAY 09 2016

**District of New Mexico**United States of America  
v.MATTHEW J. DYKMAN  
CLERK

Gonzalez-Levingston, Dandre M.

Case No. 16 mj 2125

Defendant(s)**CRIMINAL COMPLAINT***May be handwritten*

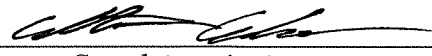
I, Alton R. Adams, the sworn complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of May 08, 2016 in the County of Bernalillo County in the District of New Mexico, the defendant(s) violated:

Code Section (Counts)Offense Description

18 USC 111

Assaulting, Resisting or  
Impeding Certain Officers

This criminal complaint is based on facts provided on the attached sheet.

Complainant's signatureAlton R. AdamsPrinted name and titleApproved by AUSA Kim Brantley  
Printed name

Sworn to before me and signed in my presence.

Date: 5/9/16City: Albuquerque, New MexicoJudge's signatureSteven C. HarbroughPrinted name and titleU.S. Magistrate Judge

## CRIMINAL COMPLAINT FACTUAL BASIS

for

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*Defendant(s)*

1. Alton R. Adams VA Police Officer. I attended the Federal Police Academy in Little Rock Arkansas October 2015 and graduated with full Law Enforcement credentials.
2. The information contained in the affidavit does not include everything I know, but rather is submitted for the limited purpose of providing probable cause to support the attached criminal complaint.
3. On May 8, 2016, I was performing my duty as a VA Police Officer at the VA Hospital when I answered a call of a subject jumping the North fence of VA property and Gibson Medical Center.
4. I radioed Officer Rau of a subject trespassing onto VA property. Officer Rau encountered the subject on the South side of building 2, who was later identified as Dandre M. Gonzalez-Levingston. Gonzalez-Levingston appeared to be under the influence of alcohol.
5. Officer Rau identified himself as VA police. Gonzalez-Levingston then started to raise his voice at Officer Rau stating he was on UNM campus. Officer Rau and I tried to explain to him that he was on VA property. Gonzalez-Levingston then said we are lying and began to curse at Officer Rau and I.
6. Gonzalez-Levingston then pulled out his mobile device and said "I am going to record this". Officer Rau tried to tell him he could not use his mobile device to record. When Gonzalez-Levingston turned and ran west towards building 4, Officer Rau and I ran after him. Gonzalez-Levingston got to the grass by building 4, where he fell due to wet grass and then got up and continued running west. Officer Rau and I stopped running but continued to follow after Gonzalez-Levingston. Gonzalez-Levingston stopped running once he got to South Veterans Loop RD over by building 10. I was the first to reach Gonzalez-Levingston and told him he was being detained for trespassing and to place his hands behind his back. Gonzalez-Levingston laid down on the ground and placed his hands behind his back. Gonzalez-Levingston continued to resist as I placed him in handcuffs. Officer Rau and I helped him back to his feet and started to walk him to building 1. Gonzalez-Levingston then started to call Officer Rau and I "Niggers and Pigs" and then two times while we escorted him he passively resisted and dropped to the ground. Officer Rau and I helped him to his feet on both occasions and he did not complain of being hurt.
7. Once at building 1, he was placed in the detention room. While in the detention room, a terry frisk was conducted and a small (mini) unopened bottle of Crown Royal was found in his front pocket. His right foot ankle was put in an ankle shackle for safety reasons. I then went into the detention room to let Gonzalez-Levingston know what was going to happen and Gonzalez-Levingston then spit at me, hitting me in the face, chest and on my left and right upper thighs.

Sworn to before me and signed in my presence.

*Steve Farley* 5/9/16  
U.S. Magistrate Judge

I swear/affirm upon penalty of perjury that the above information is true and correct to the best of my knowledge (initial previous pages).

*Alton R Adams*  
Alton R Adams Patrolman

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*Judge's signature*

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*Complainant's signature*

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*Printed name and title*

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*Printed name and title*